Patenting of Pharmaceuticals and Agro-Chemical Products

1138. DR. MAHESH CHANDRA SHARMA: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) how many applications for product patents for Pharmaceuticals and Agro chemicals have been received since 1st January, 1995;

(b) how many applications relate to new molecule and how many for new formulations alone;

(c) whether it is a fact that USA gives product patents for changes in usage form, dosage form and new combination even on-off patent basic drugs; and

(d) whether it is also a fact that Government have decided not to give patents for patents expired basic drugs related formulation whether they relate to changes in dosage form, usage form or even new combination?

THE MINISTER OF COMMERCE AND INDUSTRY (SHRI MURASOLI MARAN): (a) and (b) During the period from 1 January, 1995 to 31 October, 1999, 2994 applications have been filed for pharmaceutical and 494 applications for agricultural chemical products. These applications are yet to be taken up for examination.

(c) Such information is not maintained. However, for grant of patent, any application has to satisfy the criteria of inventive step, even in the United States of America.

(d) Patents are granted according to the provisions of the Patents Act, 1970. However, according to Section 3(e) of the said Act, patent can not be granted on an admixture resulting only in the aggregation of the properties of the components thereof or a process for producing such admixture. Further, Section 3(d) prohibits grant of patent for new use of known substance.

Growth Centre Scheme

1139. SHRI PARMESHWAR KUMAR AGARWALLA: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that the growth centres functioning under the growth centre scheme are at various stages of development;

(b) if so, the progress made by these centres and development achieved;

(c) whether it is also a fact that some are yet to take off;

(d) if so, what are the reasons for their inability to take off; and

(e) what steps are being taken to make all the centres operational?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (DR. RAMAN): (a) and (b) Yes Sir. Under the Growth Centre Scheme, 68 Growth Centres have so far been approved out of which 14 Centres have been released full central assistance of Rs. 10 crores each. A total amount of Rs. 289 crores approximately has been released as Central Assistance so far. Distribution of plots has commenced in 23 Growth Centres. In some of the growth centres in the States of Karnataka, Madhya Pradesh, Haryana, Goa, Kerala, Rajasthan and Uttar Pradesh industrial activities have already been started and employment has also been generated. The remaining centres are at various stages of development.

(c) and (d) Yes Sir. Some of the approved growth centres have not yet taken off because acquisition of land which is a pre-requisite for development of infrastructure is necessarily a time consuming process including issual of legal notification. At times it also involves litigation with land holders arising over of disagreement on the amount of compensation as well as acquisition against their will. Non-availability of required size of contiguous land at one place and the law and order problem in some States are also other reasons for some growth centres not taking off.

(e) While the Central Government assistance enables the State Governments to undertake these projects, the responsibility for implementation of the projects rests entirely with the State Governments. Release of Central assistance depends upon physical and financial progress achieved in the implementation of the Growth Centres by the State Governments.

State Governments have been advised to take effective steps to ensure speedy implementation of the projects and submit quarterly progress reports regularly.